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APPLICATION NO. **FILING DATE** FIRST NAMED INVENTOR ATTORNEY DOCKET NO. 09/049,297 03/27/98 WALKER J WD2-98-007 **EXAMINER** LM02/0611 WALKER DIGITAL CORPORATION CAUDLE, P FIVE HIGH RIDGE PARK PAPER NUMBER **ART UNIT** STAMFORD CT 06905-1326 2765

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No. 09/049,297

Penny Caudie

Applicant(s)

Walker et al

ICE ACTION Summary Exam

Examiner

Group Art Unit 2765

| Responsive to communication(s) filed on | · |
|--|---|
| ☐ This action is FINAL. | |
| ☐ Since this application is in condition for allowance except for in accordance with the practice under Ex parte Quayle, 1935 | |
| A shortened statutory period for response to this action is set to is longer, from the mailing date of this communication. Failure t application to become abandoned. (35 U.S.C. § 133). Extensio 37 CFR 1.136(a). | o respond within the period for response will cause the |
| Disposition of Claims | |
| | is/are pending in the application. |
| Of the above, claim(s) | is/are withdrawn from consideration. |
| ☐ Claim(s) | is/are allowed. |
| X Claim(s) 1-8, 11, 12, 15-18, 20-28, 31, 32, 35-41, 43-51 | <i>1, 54, 55, 58-65, and 67-</i> 8 9 are rejected. |
| X Claim(s) 9, 10, 13, 14, 19, 29, 30, 33, 34, 42, 52, 53, 5 | 56, 57, and 66 is/are objected to. |
| ☐ Claims | are subject to restriction or election requirement. |
| Application Papers X See the attached Notice of Draftsperson's Patent Drawing | Review, PTO-948. |
| ☐ The drawing(s) filed on is/are objects | ed to by the Examiner. |
| ☐ The proposed drawing correction, filed on | is 🗀 approved 🗆 disapproved. |
| ☐ The specification is objected to by the Examiner. | |
| $\hfill\Box$ The oath or declaration is objected to by the Examiner. | |
| Priority under 35 U.S.C. § 119 | |
| □ Acknowledgement is made of a claim for foreign priority u □ All □ Some* □ None of the CERTIFIED copies of | |
| received. | the priority documents have been |
| received in Application No. (Series Code/Serial Num | iber) . |
| received in this national stage application from the I | |
| *Certified copies not received: | |
| ☐ Acknowledgement is made of a claim for domestic priority | y under 35 U.S.C. § 119(e). |
| Attachment(s) | |
| Notice of References Cited, PTO-892 | |
| Information Disclosure Statement(s), PTO-1449, Paper No. ■ PTO-1429 ■ PTO-1429 | (s). <u>2 & 3</u> |
| ☐ Interview Summary, PTO-413 ☒ Notice of Draftsperson's Patent Drawing Review, PTO-948 | 8 |
| □ Notice of Informal Patent Application, PTC-152 | ~ |
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| SEE OFFICE ACTION ON TI | HE FOLLOWING PAGES |

DETAILED ACTION

1. Claims 1-89 have been examined.

Claim Objections

2. Claims 5, 8, 16, 28, 51 and 75 are objected to because of the following informalities:

As per claim 5, the phrase "said pre-defined begins at a pre-defined date" should read "said pre-defined time period begins at a pre-defined date".

As per claims 8, 28, 51 and 75, the term "second discount" in line two should read "first discount".

As per claim 16, the phrase "from signals indicative of stored in said memory" should read "from signals stored in said memory". Appropriate correction is required.

Claims 9, 10, 13, 14, 19, 29, 30, 33, 34, 42, 52, 53, 56, 57 and 66 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Art Unit: 2765

4. Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the

invention. It is unclear as to the specific limitation of the claim as to whether the input device

includes at least one of a scanning device for scanning bar codes, a magnetic storage medium, or

an optical storage medium, or the input device includes a scanning device for scanning at least

one of bar codes, a magnetic storage medium, or an optical storage medium. For the purposed of

this examination the claims is interpreted to include the latter limitation.

5. Claims 37, 44, 59, 83 and 89 are rejected under 35 U.S.C. 112, second paragraph, as

being indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention. It is unclear how the identifier or account number (page 6 line

20 of the specification) comprises an encoded bar code, a magnetic storage medium, and an

optical storage medium. For the purposes of this examination, it limitation is interpreted as, said

identifier is transmitted through scanning an encoded bar code, a magnetic storage medium or an

optical storage medium.

Claim Rejections - 35 USC § 101

6. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Art Unit: 2765

7. Claims 69-89 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The utility of an invention must be within the "technological" arts, i.e. an application of science and engineering to the development of machines and procedures in order to enhance or improve human efficiency. This may occur by a having post-computer processing activity, manipulating data to achieve a practical application, or through the claiming of a specific machine or manufacture. As claimed the applicant's invention is not in the technical arts, i.e. the claimed method is not computer implemented.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
- 9. Claims 1-8, 11, 12, 15-18, 22, 23, 25-28, 31, 32, 35-41, 44-46, 48-51, 54, 55, 58-65, 68-70, 72-75, 78, 79, 82-86 and 89 are rejected under 35 U.S.C. 102(a) as being anticipated by Deaton et al (U.S. 5,687,322).

As per claim 1, Deaton et al disclose an apparatus for determining a discount for a customer of a retail establishment, said apparatus comprising:

*

-an input device for generating an identifier signal indicative of a customer's identification, as shown in Figure 2A items 119 and 123a and stated in column 5 lines 12-18, "The system includes one or more transaction terminals, coupled to a transaction processor that stores the customer database...which includes an automatically read customer's identification number, from the point-of-sale (POS) to the transaction processor.";

-a signal processing system responsive to said identifier signal, and having memory for storing signals including program signals defining an executable process for calculating a second discount based on a predefined time period from signal stored in said memory indicative of a date of a last visit of the customer to the retail establishment and a first discount, as stated in column 73 lines 9-12, "Alternatively, an electronic incentive could be stored in the processor for use in conjunction with the user's identification such that credit can be automatically given at the subsequent purchase times." and lines 17-25 "...such as zero visits in a certain time period as compared to multiple visits to the store in a certain time period...The present system may also be used to lay out future coupons such that incentives are decreased or increased in order to maintain certain required levels of spending.".

As per claim 2, Deaton et al disclose all the limitations as set forth in claim 1 above with the addition of said input device includes a keypad. As shown in Figure 2A item 122 and stated in column 12 lines 38-41, "As shown in FIG 2A, each POS terminal 120 includes an automatic check reader 119 and a transaction terminal 121 which includes a keypad 122 and a display 124.".

As per claim 3, Deaton et al disclose all the limitations as set forth in claim 1 above with the addition of said input device includes a scanning device for scanning at least one of an encoded bar code, a magnetic storage medium, or an optical storage medium. As shown in Figure 2A item 122 and stated in column 12 lines 38-41, "As shown in FIG 2A, each POS terminal 120 includes an automatic check reader 119 and a transaction terminal 121 which includes a keypad 122 and a display 124. A bar code reader 123a is also connected to terminal 121 and is used to read bar code numbers...".

As per claim 4, Deaton et al disclose all the limitations as set forth in claim 1 above with the addition of said process applies said second discount to a purchase of the customer at the retail establishment. As stated in column 77 lines 55-58, "...electronic inducements may also be provided in lieu of the printed coupons, such as by the way of automatic discount of the customer's bill or by automatic discount of a future bill.".

As per claim 5, Deaton et al disclose all the limitations as set forth in claim 1 above with the addition of said process determines said second discount upon expiration of said pre-defined time period, wherein said pre-defined time period begins at a pre-defined date. As stated in column 102 lines 66-67 and column 103 lines 1-5, "...a store may offer an incentive to come again in the next seven day period and if the customer does, the store gives \$2 off the shopping visit. The store then monitors that customer to see if he performed according to the terms and conditions. Did he come back and do what the incentive provided that he should do? If not, then the value of the incentive may be increased." and in column 103 lines 21-23, "The present system

allows a store to customize the incentive, whether it is one a shopping visit criteria, or a product group, or a department, or an individual specific product basis.".

As per claim 6, Deaton et al disclose all the limitations as set forth in claim 1 above with the addition of said process determines said second discount by increasing said first discount by a pre-defined value if said date of said last visit is prior to said pre-defined time period. As stated in column 103 lines 41-47, "A new incentive can be issued, the response is monitored and if they meet the response, the system can choose among the alternatives of maintaining or reducing. If they do not meet the response criteria, the system can increase the coupon value, or differentiate subsequent coupons, until the desired reaction is obtained from the individual customer or household.".

As per claim 7, Deaton et al disclose all the limitations as set forth in claim 1 above with the addition of said process determines said second discount by decreasing said first discount by a pre-defined value if said date of said last visit is prior to said pre-defined time period. As stated in column 103 lines 41-47, "A new incentive can be issued, the response is monitored and if they meet the response, the system can choose among the alternatives of maintaining or reducing. If they do not meet the response criteria, the system can increase the coupon value, or differentiate subsequent coupons, until the desired reaction is obtained from the individual customer or household.".

As per claim 8, Deaton et al disclose all the limitations as set forth in claim 1 above with the addition of said process determines said second discount by decreasing said second discount

by a pre-defined minimum discount if said date of said last visit is prior to said pre-defined time period. As stated in column 103 lines 41-47, "A new incentive can be issued, the response is monitored and if they meet the response, the system can choose among the alternatives of maintaining or reducing. If they do not meet the response criteria, the system can increase the coupon value, or differentiate subsequent coupons, until the desired reaction is obtained from the individual customer or household."

As per claim 11, Deaton et al disclose all the limitations as set forth in claim 1 above with the addition of said process further applies the second discount to a purchase of the customer if the purchase is greater than a pre-defined value. As stated in column 73 lines 23-25, "The present system may also be used to lay out future coupons such that incentives are decreased or increased in order to maintain certain required levels of spending.".

As per claim 12, Deaton et al disclose all the limitations as set forth in claim 1 above with the addition of said process determines said second discount at a present visit of the customer to the retail establishment. As stated in column 73 lines 4-5, "The present system provides automatically printed coupons at the point-of-sale...".

As per claim 15, Deaton et al disclose all the limitations as set forth in claim 1 above with the addition of said process further generates a coupon including said identifier. As stated in column 69 lines 14-16, "...utilizes a system to actually print, at the point-of-sale, coupons bearing the desired information based upon selected criteria."

Application/Control Number: 09/049,297

Art Unit: 2765

As per claim 16, Deaton et al disclose an apparatus for determining a discount for a customer, comprising:

-an input device for generating an identifier signal indicative of a first conditional discount and a first date indicative of an expiration date of said first conditional discount, as shown in Figure 2A items 119 and 123a and stated in column 5 lines 12-18, "The system includes one or more transaction terminals, coupled to a transaction processor that stores the customer database... which includes an automatically read customer's identification number, from the point-of-sale (POS) to the transaction processor." and in column 103 lines 30-35, "An incentive is provided to increase customer purchases, the system monitors and records that incentive in the customer history file, then the systems monitors and records the response.";

-a signal processing system, responsive to said identifier signal, and having memory for storing signals including program signals defining an executable process for calculating a first earned discount based on a pre-defined time period from signals stored in said memory indicative of said first conditional discount and said first date, for calculating a second conditional discount by increasing said first earned discount by a pre-defined value, and for generating a second identifier indicative of said second conditional discount and a second date indicative of an expiration of said second conditional discount, as stated in column 103 lines 30-35, "An incentive is provided to increase customer purchases, the system monitors and records that incentive in the customer history file, then the systems monitors and records the response.", in column 103 lines 33-38, "If the customer meets that response criteria...the store can maintain the

incentive a while and then choose to increase it..." and in column 103 lines 40-41, "The coupon increase can be organized in successive layers. A new incentive can be issued...".

As per claim 17, Deaton et al disclose all the limitations as set forth in 16 above with the addition of applying said first earned discount to a purchase of the customer at the retail establishment. As stated in column 77 lines 55-58, "...electronic inducements may also be provided in lieu of the printed coupons, such as by the way of automatic discount of the customer's bill or by automatic discount of a future bill.".

As per claim 18, Deaton et al disclose all the limitations as set forth in claim 16 above with the addition of determining said first earned discount to be equal to said first conditional discount if said first date occurs within said pre-defined time period. As stated in column 102 lines 66-67 and in column 103 lines 1-5, ""...a store may offer an incentive to come again in the next seven day period and if the customer does, the store gives \$2 off the shopping visit. The store then monitors that customer to see if he performed according to the terms and conditions...".

As per claim 21, Deaton et al disclose all the limitations as set forth in claim 16 above with the addition of said input device includes a scanning device for scanning an encoded bar code, a magnetic storage medium, or an optical storage medium. As shown in Figure 2A item 122 and stated in column 12 lines 38-41, "As shown in FIG 2A, each POS terminal 120 includes an automatic check reader 119 and a transaction terminal 121 which includes a keypad 122 and a

Art Unit: 2765

display 124. A bar code reader 123a is also connected to terminal 121 and is used to read bar code numbers...".

As per claims 22, 45 and 69, Deaton et al disclose system/method for determining a discount for a customer of a retail establishment, comprising:

-receiving an identifier representative of the customer, as stated in column 5 lines 12-18, "The system includes one or more transaction terminals, coupled to a transaction processor that stores the customer database...which includes an automatically read customer's identification number, from the point-of-sale (POS) to the transaction processor.";

-accessing data, in response to said identifier, from memory relating to the customer, a date of a last visit of a customer to the retail establishment, and a first discount, as stated in column 1 lines 58-63, "...a method and system for processing and developing a customer database of customer information, such as credit verification status and transaction frequency, and dollar volume over specified intervals, that can be used for...targeted customer marketing...";

-determining a second discount based on said first discount and a relationship of said date of said last visit of the customer and a pre-defined time period, as stated in column 73 lines 9-12, "Alternatively, an electronic incentive could be stored in the processor for use in conjunction with the user's identification such that credit can be automatically given at the subsequent purchase times." and lines 17-25 "...such as zero visits in a certain time period as compared to multiple visits to the store in a certain time period...The present system may also be used to lay

out future coupons such that incentives are decreased or increased in order to maintain certain required levels of spending.".

As per claims 23, 46 and 70, Deaton et al disclose all the limitations as set forth in claims 22, 45 and 69 above with the addition of applying said second discount to a purchase of the customer at the retail establishment. As stated in column 77 lines 55-58, "...electronic inducements may also be provided in lieu of the printed coupons, such as by the way of automatic discount of the customer's bill or by automatic discount of a future bill.".

As per claims 25, 48 and 72, Deaton et al disclose all the limitations as set forth in claims 22, 45 and 69 above with the addition of determining said second discount upon expiration of said pre-defined time period, wherein said pre-defined time period begins at a pre-defined date. As stated in column 102 lines 66-67 and column 103 lines 1-5, "...a store may offer an incentive to come again in the next seven day period and if the customer does, the store gives \$2 off the shopping visit. The store then monitors that customer to see if he performed according to the terms and conditions. Did he come back and do what the incentive provided that he should do? If not, then the value of the incentive may be increased." and in column 103 lines 21-23, "The present system allows a store to customize the incentive, whether it is one a shopping visit criteria, or a product group, or a department, or an individual specific product basis."

As per claims 26, 49 and 73, Deaton et al disclose all the limitations as set forth in claims 22, 45 and 69 above with the addition of determining said second discount by increasing said first discount by a pre-defined value if said date of said last visit is within said pre-defined time

Art Unit: 2765

period. As stated in column 103 lines 41-47, "A new incentive can be issued, the response is monitored and if they meet the response, the system can choose among the alternatives of maintaining or reducing. If they do not meet the response criteria, the system can increase the coupon value, or differentiate subsequent coupons, until the desired reaction is obtained from the individual customer or household.".

As per claims 27, 50 and 74, Deaton et al disclose all the limitations as set forth in claims 22, 45 and 69 above with the addition of determining said second discount by decreasing said first discount by a pre-defined value if said date of said last visit is prior to said pre-defined time period. As stated in column 103 lines 41-47, "A new incentive can be issued, the response is monitored and if they meet the response, the system can choose among the alternatives of maintaining or reducing. If they do not meet the response criteria, the system can increase the coupon value, or differentiate subsequent coupons, until the desired reaction is obtained from the individual customer or household.".

As per claims 28, 51 and 75, Deaton et al disclose all the limitations as set forth in claims 22, 45 and 69 above with the addition of determining said second discount by decreasing said first discount to a pre-defined minimum discount if said date of said last visit is prior to said pre-defined time period. As stated in column 103 lines 41-47, "A new incentive can be issued, the response is monitored and if they meet the response, the system can choose among the alternatives of maintaining or reducing. If they do not meet the response criteria, the system can

increase the coupon value, or differentiate subsequent coupons, until the desired reaction is obtained from the individual customer or household.".

As per claims 31, 54 and 78, Deaton et al disclose all the limitations as set forth in claims 22, 45 and 69 above with the addition of further applying the second discount to a purchase of the customer if the purchase is greater than a pre-defined value. As stated in column 73 lines 23-25, "The present system may also be used to lay out future coupons such that incentives are decreased or increased in order to maintain certain required levels of spending.".

As per claims 32, 55 and 79, Deaton et al disclose all the limitations as set forth in claims 22, 45 and 69 above with the addition of determining said second discount at a present visit of the customer to the retail establishment. As stated in column 73 lines 4-5, "The present system provides automatically printed coupons at the point-of-sale...".

As per claim 35, Deaton et al disclose all the limitations as set forth in claim 22 above with the addition of said memory is associated with said computer. As stated in column 11 lines 18-20, "As shown in FIG. 1, a check transaction processing system 110 located at a store includes a transaction processor 112 coupled to a disk system 114 that stores the customer database...".

As per claim 36, Deaton et al disclose all the limitations as set forth in claim 22 above with the addition of said memory is associated with a card. As stated in column 73 lines 7-9, "...an output might be provided to a smart card by encoding the smart card with incentives for the next visit."

Art Unit: 2765

As per claims 37, 44, 59, 83 and 89, Deaton et al disclose all the limitations as set forth in claim 22 above with the addition of said identifier is transmitted through scanning an encoded bar code, a magnetic storage medium or an optical storage medium. As stated in column 102 lines 40-44, "In order to easily scan in the redemption of coupons, bar code data may be printed on the coupons..." and in column 73 lines 7-9, "...an output might be provided to a smart card by encoding the smart card with incentives for the next visit."

As per claims 38, 58 and 82, Deaton et al disclose all the limitations as set forth in claims 22, 45 and 69 above with the addition of generating a coupon including said identifier. As stated in column 69 lines 14-16, "...utilizes a system to actually print, at the point-of-sale, coupons bearing the desired information based upon selected criteria.".

As per claims 39, 63 and 84, Deaton et al discloses a system/method for determining a discount for a customer, comprising:

-receiving a first identifier indicative of a first conditional discount and a first date representative of the expiration of said first conditional discount, as stated in column 103 lines 30-35, "An incentive is provided to increase customer purchases, the system monitors and records that incentive in the customer history file, then the systems monitors and records the response.";

-determining a first earned discount in accordance with said first conditional discount and said first date occurring within a pre-defined time period, as stated in column 103 lines 30-35,

"An incentive is provided to increase customer purchases, the system monitors and records that incentive in the customer history file, then the systems monitors and records the response.";

-determining a second conditional discount by increasing said first earned discount by a pre-defined value, as stated in column 103 lines 33-38, "If the customer meets that response criteria...the store can maintain the incentive a while and then choose to increase it...";

-generating a second identifier indicative of said second conditional discount and a second date representative of the expiration of said conditional discount, as stated in column 103 lines 40-41, "The coupon increase can be organized in successive layers. A new incentive can be issued...".

As per claims 40, 64 and 85, Deaton et al disclose all the limitations as set forth in claims 39, 63 and 84 above with the addition of applying said first earned discount to a purchase of the customer at the retail establishment. As stated in column 77 lines 55-58, "...electronic inducements may also be provided in lieu of the printed coupons, such as by the way of automatic discount of the customer's bill or by automatic discount of a future bill."

As per claims 41, 65 and 86, Deaton et al disclose all the limitations as set forth in claims 39, 63 and 84 above with the addition of determining said first earned discount to be equal to said first conditional discount if said first date occurs within said pre-defined time period. As stated in column 102 lines 66-67 and in column 103 lines 1-5, ""...a store may offer an incentive to come again in the next seven day period and if the customer does, the store gives \$2 off the

shopping visit. The store then monitors that customer to see if he performed according to the terms and conditions...".

As per claim 60, Deaton et al disclose all the limitations as set forth in claim 45 above with the addition of said storage medium is associated with said computer. As stated in column 11 lines 18-20, "As shown in FIG. 1, a check transaction processing system 110 located at a store includes a transaction processor 112 coupled to a disk system 114 that stores the customer database...".

As per claim 61, Deaton et al disclose all the limitations as set forth in claim 45 above with the addition of said storage medium is associated with a card. As stated in column 73 lines 7-9, "...an output might be provided to a smart card by encoding the smart card with incentives for the next visit."

As per claim 62, Deaton et al disclose all the limitations as set forth in claim 45 above with the addition of said storage medium is at least one of an electronic storage medium, magnetic storage medium and optic storage medium. As stated in column 11 lines 18-20, "As shown in FIG. 1, a check transaction processing system 110 located at a store includes a transaction processor 112 coupled to a disk system 114 that stores the customer database...", and in column 73 lines 7-9, "...an output might be provided to a smart card by encoding the smart card with incentives for the next visit."

As per claim 68, Deaton et al disclose all the limitations as set forth in claim 63 above with the addition of said first identifier and second identifier each comprise an encoded bar code.

Art Unit: 2765

As stated in column 102 lines 40-44, "In order to easily scan in the redemption of coupons, bar code data may be printed on the coupons...".

Claim Rejections - 35 USC § 103

- 10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 11. Claims 20, 24, 43, 47, 67, 71 and 88 are rejected under 35 U.S.C. 103(a) as being unpatentable over Deaton et al (U.S. 5,687,322).

As per claims 24, 47 and 71, Deaton et al disclose all the limitations as set forth in claims 22, 45 and 69 above. Deaton et al fails to explicitly disclose that the second discount is a percentage discount of said purchase of the customer. Official Notice is given that the use of coupons which indicate a particular percentage discount for customer purchases as an incentive to customers is old and well known in the art. Therefore it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to implement the method/system taught by Deaton et al with the addition of percentage coupons in order to entice the customers to return to the store.

Art Unit: 2765

As per claims 20, 43, 67 and 88, Deaton et al disclose all the limitations as set forth in claims 16, 39, 63 and 84 above. Deaton et al fail to explicitly disclose determining said first earned discount to be zero discount if said first date occurs outside of said pre-defined time period. However, Deaton et al do disclose dispensing coupons or discount based on a pre-defined time period(col 102 lines 66-67). Therefore it is obvious if the customer does not use the coupon within the pre-defined time period the discount/coupon is void or zero.

Conclusion

- 12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
- -O'Brien et al (U.S. 5,832,457) disclose a system for automatically distributing discount coupons or certificates in retail stores.
- -Deaton et al (U.S. 5,327,508) disclose a method and system for performing targeted marketing on infrequent shoppers.
- 13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Penny Caudle whose telephone number is (703) 305-0756. The examiner can normally be reached Monday-Thursday from 6:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allen MacDonald, can be reached at (703) 305-9708.

The fax number for Formal or Official faxes to Technology Center 2700 is (703) 308-9051 or 9052. Draft or Informal faxes for this Art Unit can be submitted to (703) 308-1396.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

plc

June 3, 1999

ERIC W. STAMBER
PRIMARY EXAMINER